IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6567 OF 2005

Kumar Kondiba Awale & Ors. ..Petitioners.

Vs.

The State of Maharashtra & Ors. ..Respondents.

....

Mr.J.P.Kharge and Mr.S.G.Thorat for the Petitioners.

Mr.C.R.Sonawane, AGP for Respondent Nos.1 to 4.

....

CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

5th October, 2005.

P.C. :

Award was passed on 16th September, 1974. Possession was taken on 16th November, 1979. The Apex Court in **Municipal Council, Ahmednagar v. Shah Hyder Beig** (AIR 2000 SC 671) has held th**at** the Court should not interfere with the acquisition which has already taken place under the award which

has been passed. Considering that no interference is called for. The Petition stands disposed of.

In the event notice under Section 12(2) of the Act was not served on the Petitioners, it will be open to them to take such steps in law to apply under Section 18.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)